

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,)
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Plaintiff,)
)
)
v.) Case No. 4:14-CR-00239-01-BCW
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)
ROBERT R. RAY,)
)
)
Defendant.)

ORDER

Before the Court is Magistrate Judge John T. Maughmer's Report and Recommendation (Doc. #30) denying Defendant's Motion to Suppress Evidence and Statements (Doc. #25). Defendant filed objections (Doc. #32) to the Report and Recommendation. Defendant's principal objection is that Judge Maughmer erred in finding credible Officer Dawdy's testimony that he smelled an odor of marijuana coming from the vehicle. Because of this alleged error, Defendant also objects to Judge Maughmer's finding that Officer Dawdy had probable cause to search the vehicle.

After an independent review of the record, the applicable law, and the parties' arguments, the Court adopts Magistrate Judge Maughmer's findings of fact and conclusions of law. Accordingly, it is hereby

ORDERED Defendant's objections (Doc. #32) are OVERRULED. It is further ORDERED, for the reasons stated in the Report and Recommendation (Doc. #30), Defendant's Motion to Suppress Evidence and Statements (Doc. #25) is DENIED. It is further

ORDERED that Magistrate Judge Maughmer's Report and Recommendation be attached to and made part of this Order.

IT IS SO ORDERED.

DATED: October 7, 2015

/s/ Brian C. Wimes

JUDGE BRIAN C. WIMES
UNITED STATES DISTRICT COURT